

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

BILBO BUSH

PETITIONER

v.

No. 1:06CV85-M-D

LAWRENCE KELLY, ET AL.

DEFENDANTS

FINAL JUDGMENT

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated July 10, 2006, the petitioner's July 25, 2006, objections to the Report and Recommendation, and his August 29, 2006, supplemental objections to the Report and Recommendation, the court finds that the petitioner's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore **ORDERED**:

1. That the Report and Recommendation of the United States Magistrate Judge dated July 10, 2006, is hereby **APPROVED AND ADOPTED** as the opinion of the court.

2. That the instant petition for a writ of *habeas corpus* is hereby **DISMISSED** with prejudice and without evidentiary hearing as untimely filed under 28 U.S.C. § 2244(d).

3. That this case is **CLOSED**.

4. That in light of this final judgment, any motions currently pending in this case are hereby **DISMISSED** as moot.

THIS, the 3rd day of October, 2006.

/s/ Michael P. Mills

UNITED STATES DISTRICT JUDGE